

PROB 12

(Rev. 3/88)

UNITED STATES DISTRICT COURT

for

NORTHERN DISTRICT OF GEORGIA

FILED IN CLERK'S OFFICE
U.S.D.C. Rome

APR 14 2006

By: JAMES W. HATTEN, Clerk
Deputy Clerk

U. S. A. vs. Sherry Ramos

Docket No. 4:05-CR-56-01-HLM

**PETITION AND ORDER TO MODIFY CONDITIONS OF SUPERVISED
RELEASE**

COMES NOW Kathryn R. Shields PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Sherry Ramos who was placed on supervision for the offense of Use of a Communication Facility to Commit a Drug Trafficking Offense, 21 U.S.C. § 843(b), by the Honorable Harold L. Murphy sitting in the court at Rome, on the 14th day of October, 2005 who fixed the period of supervision at 1 months, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

The defendant shall perform 100 hours of community service under the guidance and supervision of the U.S. Probation Officer.

The defendant shall not own, possess or have under her control any firearm, dangerous weapon or other destructive device.

The defendant shall submit to a search of her person, property, real or personal, residence, place of business or employment, and/or vehicle(s) at the request of the United States Probation Officer. The defendant shall permit confiscation and/or disposal of any material considered contraband or any other item which may be deemed to have evidentiary value related to violations of supervision.

Pursuant to 42 U.S.C. § 14135a(d)(1) and 10 U.S.C. § 1565(d), requiring mandatory DNA testing for federal offenders convicted of certain felony offenses, the defendant shall cooperate in the collection of a DNA sampling as directed by the United States Probation Officer.

The defendant commenced her term of supervised release on November 30, 2008, with a projected termination date of November 29, 2009.

A violation report was submitted to the Court in January 2009.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach)

Failure to Follow Instructions:

On January 26, 2009, the defendant was instructed to not travel south of Gordon County, Calhoun, Georgia, based upon violations prior to this date. On April 2, 2009, the defendant was arrested in Atlanta at the Gold Club for failure to have an Adult Entertainment Permit. The report further indicates the defendant attempted

to flee the premises.

Using an Illegal Substance and Tampering with Drug Testing:

On March 18 and 31, 2009, the defendant tested positive for marijuana. Prior to the March 31, drug screen the defendant was confronted with using some type of substance to alter her drug screens based upon numerous specimens being reported diluted. The defendant admitted to flushing her system to avoid detection.

New Arrest:

On April 2, 2009, the defendant was arrested in Atlanta at the Gold Club for failure to have an Adult Entertainment Permit. The report further indicates the defendant attempted to flee the premises.

PRAYING THAT THE COURT WILL ORDER the conditions of Supervised Release be modified to include the defendant shall participate in the following home confinement detention program for a period of 180 days and abide by all the requirements of the program which will include electronic monitoring or other location verification system. The defendant shall pay all or part of the costs of the program based upon your ability to pay as determined by the probation officer. The defendant shall be restricted to her residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the probation officer.

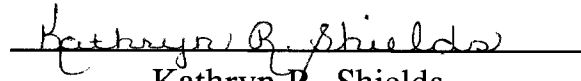
ORDER OF COURT

Respectfully,

Considered and ordered this _____
_____ day of

14th

April, 2009

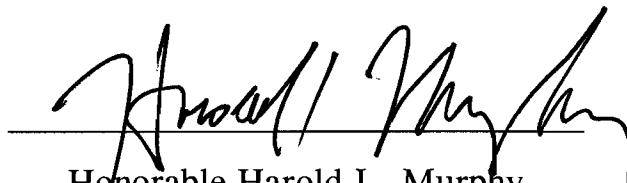

Kathryn R. Shields

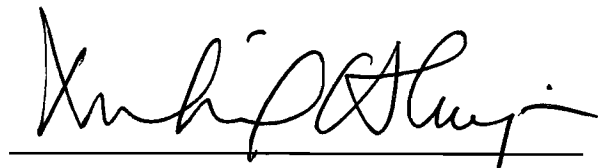
U. S. Probation Officer

Place: Rome, Georgia

and ordered filed and made a part of
the records in the above case.

Date: April 13, 2009


Honorable Harold L. Murphy
U. S. District Court Judge


Richard C. Flanigen
Supervising U. S. Probation Officer

UNITED STATES DISTRICT COURT

for

NORTHERN DISTRICT OF GEORGIA

**Waiver of Hearing to Modify Conditions
of Supervised Release or Extend Term of Supervision**

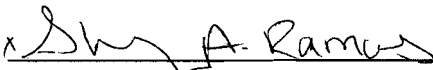
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release or to the proposed extension of my term of supervision:

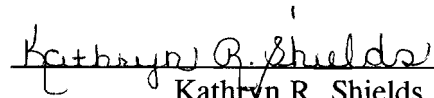
The defendant shall participate in the following home confinement detention program for a period of 180 days and abide by all the requirements of the program which will include electronic monitoring or other location verification system. The defendant shall pay all or part of the costs of the program based upon your ability to pay as determined by the probation officer. The defendant shall be restricted to her residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities as pre-approved by the probation officer.

Signed:

Witness:



Sherry Ramos
Supervised Releasee



Kathryn R. Shields
U. S. Probation Officer

Date: 04-13-09